



October 27, 1995

Executive Offices
201 Polito Avenue
Lyndhurst, NJ 07071

OVERNIGHT MAIL-UPS

Joseph Cosentino, OSC
Removal Action Branch
Emergency and Remedial Response Division
U.S.Environmental Protection Agency, Region II
2890 Woodbridge Avenue
Edison, NJ 08837

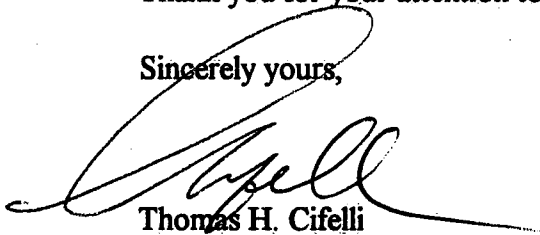
**RE: Request for Information Pursuant to
Section 104(e) of CERCLA, 42
U.S.C. 9604(e); Bayonne Barrel & Drum,
Superfund Site, 150-154 Raymond Boulevard,
Newark, Essex County, New Jersey**

Dear Mr. Cosentino:

In accordance with Director Callahan's letter relative to the Bayonne Barrel & Drum Superfund Site, I am enclosing Sika Corporation's responses to the above captioned Request for Information. By copy of this letter, I am serving a copy of same on Mr. Seidenberg.

Thank you for your attention to this matter.

Sincerely yours,



Thomas H. Cifelli
General Counsel

THC:mc
Enclosure

cc: Marc Seidenberg, Esq. w/enc.

444885



**RESPONSE OF SIKA CORPORATION
TO EPA REQUEST FOR INFORMATION
RELATING TO THE BAYONNE BARREL & DRUM
SUPERFUND SITE**

Request for Information

1. General Information About the Company

Responses:

- a. Sika Corporation - known as Sika Chemical Corporation prior to 1991.
- b. New Jersey corporation
- c. Jurgen Tinggren is President, C.E.O., and a member of the Board of Directors of Sika Corporation. His offices are located at 201 Polito Avenue, Lyndhurst, NJ 07071. Sika Corporation objects to the remainder of this Information Request on the grounds that it is overly broad in scope and is not designed to lead to the discovery of relevant and/or material information. Sika Corporation, however, affirmatively states that its Chairperson is not a U.S. citizen; does not work in the United States; and is not involved in the day-to-day activities of Sika Corporation.
- d. Sika Corporation's parent company is Sika Finanz, A.G., Ratausstrasse 1, CH-6340, Baar, Switzerland. Sika Corporation objects to the remainder of this Information Request on the grounds that it is overly broad in scope and is not designed to lead to the discovery of relevant and/or material information. Sika Corporation, however, affirmatively states that the officers and directors of its Swiss parent do not work in the United States of America and are not involved in the day-to day activities of Sika Corporation.
- e. Not Applicable
- f. Sika Corporation has no available knowledge, information, data, or documents indicating that it transacted business with Bayonne Barrel & Drum (Bayonne Barrel).

2. Company's Relationship to Bayonne Barrel & Drum

Responses:

a. Sika Corporation has no available knowledge, information, data or documents indicating that it transacted business with Bayonne Barrel.

- i. Not applicable
- ii. Not applicable
- iii. Not applicable
- iv. Not applicable

b. Not applicable

- i. Not applicable
- ii. Not applicable
- iii. Not applicable
- iv. Not applicable

- v. Not applicable
 - (1) Not applicable
 - (2) Not applicable

- vi. Not applicable
 - (1) Not applicable
 - (a) Not applicable
 - (b) Not applicable

- vii. Not applicable
- viii. Not applicable
- ix. Not applicable
- x. Not applicable

3. Sika Corporation is unaware of the identity of any individual, company, partnership, etc., having knowledge of facts which are relevant to the questions which are the subject of these Information Requests.

4. The individuals consulted relative to Sika Corporation's response to these Information Requests were:

- 1. James Latulippe, Director of Manufacturing Operations, Lyndhurst, NJ, Sika Corporation.
- 2. Steven Rosenberg, Director Polyurethane Sealants (formerly also Director of Government Relations and Safety), Sika Corporation, Lyndhurst, NJ.

3. Silvio Santangelo, Manager Technical Services, Sika Corporation, Lyndhurst, NJ.
4. Patricia Lupinacci, Accounts Payable Manager, Sika Corporation, Lyndhurst, NJ.
5. Marilyn Kenny, Purchasing Coordinator, Sika Corporation, Lyndhurst, NJ.
6. William Coughlin, Yard Supervisor, Manufacturing Operations, Sika Corporation, Lyndhurst, NJ.

Each of the aforementioned individuals was asked if they had any personal knowledge or recollection of Bayonne Barrel or any transactions between Sika Corporation and Bayonne Barrel. They had none.

Each of the aforementioned individuals was asked if they had any documents or data regarding Bayonne Barrel or any transactions between Sika Corporation and Bayonne Barrel. They had none.

Ms. Lupinacci reviewed the Accounts Payable Department's computer records (which contain information dating back about two and one half years) and its microfiche records (which contain information dating back to 1987) and found nothing relative to Bayonne Barrel.

Ms. Kenny reviewed the Purchasing Department's computer system (which contains information dating back about ten years) and found nothing relative to Bayonne Barrel.

Again, none of these individuals had any knowledge, information, documents or data relative to Bayonne Barrel or any transactions between Sika Corporation and Bayonne Barrel.

5. Sika Corporation is unaware of any indemnification agreements that may indemnify it against CERCLA liability relative to the Bayonne Barrel & Drum Superfund Site. Sika Corporation will, however, use its best efforts to prepare a list of insurance policies, as soon as it receives relevant information from its new broker, i.e., Sullivan & Curtis Insurance Brokers of Washington, Inc. Sullivan and Curtis was just given a broker of record letter on October 9, 1995 and has yet to receive Sika Corporation's files, etc., which were being maintained by Willis Corroon Corporation of Seattle.
6. Sika Corporation is presently unaware of the existence of any such agreements.
7. Sika Corporation has no such additional information or documents.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

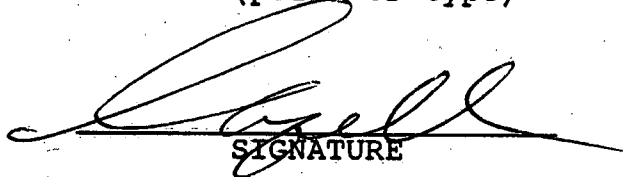
State of New Jersey

County of Bergen

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

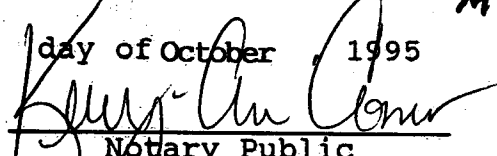
Thomas H. Cifelli
NAME (print or type)

General Counsel & Secretary
TITLE (print or type)


SIGNATURE

Sworn to me before this 24th

day of October, 1995


Notary Public
KERRY-ANN COMER
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JUNE, 1997

Page 1 of Attachment to Letter from Kathleen C. Callahan

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

A. Directions

1. A complete and separate response should be given for each question.
2. Identify each answer with the number of the question to which it is addressed.
3. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the question to which it applies.
4. In preparing your response to each question, consult with all present and former employees and agents of your company whom you have reason to believe may be familiar with the matter to which the question pertains.
5. In answering each question, identify each individual and any other source of information (including documents) that was consulted in the preparation of the response to the question.
6. If you are unable to give a detailed and complete answer, or to provide any of the information or documents requested, indicate the reason for your inability to do so.
7. If you have reason to believe that an individual other than one employed by your company may be able to provide additional details or documentation in response to any question, state that person's name, last known address, phone number and the reasons for your belief.
8. If a document is requested but not available, state the reason for its unavailability. To the best of your ability, identify the document by author, date, subject matter, number of pages, and all recipients of the document with their addresses.
9. If anything is omitted or deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the omission or deletion.

10. If you cannot provide a precise answer to a question, please approximate but, in any such instance, state the reason for your inability to be more specific.
11. Whenever this Request for Information requests the identification of a natural person, or other entity, the person or entity's full name and present or last known address also should be provided.
12. Interpret "and" as well as "or" to include within the scope of the question as much information as possible. If two or more interpretations of a question are possible, use the one that provides more information.
13. In answering these questions, every source of information to which you have access should be consulted, regardless of whether the source is in your immediate possession or control. All documents or other information, including records of all types of manufacturing, treatment, transportation or disposal operations, in your possession or in the possession of the Company should be consulted. If you do not have access to certain information and/or documents, state the nature of this information and/or documents, and indicate in whose possession they can be found.
14. For each of the questions presented below, send copies of all records, writings or other documents that relate to each such question.

B. Definitions

1. As used herein, the terms "Bayonne Barrel & Drum" or the "Site" shall refer to approximately fifteen acres of property located at 150-154 Raymond Boulevard in Newark, Essex County, New Jersey and identified as Lots 3 and 14 of Block 5002.
2. As used herein, the term "hazardous substance" shall have the meaning set forth in Section 101(14) of CERCLA, 42 U.S.C. §9601(14). The substances which have been designated as hazardous substances pursuant to Section 102(a) of CERCLA (which, in turn, comprise a portion of the substances that fall within the definition of "hazardous substance" under Section 101(14) of CERCLA) are set forth at 40 CFR Part 302.

3. As used herein, the terms "hazardous waste," "disposal" and "storage" shall have the meanings set forth in Sections 1004(5), (3) and (33) of RCRA, 42 U.S.C. §6903(5), (3) and (33), respectively.
4. As used herein, the term "industrial waste" shall mean any solid, liquid or sludge or any mixtures thereof which possess any of the following characteristics:
 - a. it contains one or more "hazardous substances" (at any concentration) as defined in 42 U.S.C. §9601(14);
 - b. it is a "hazardous waste" as defined in 42 U.S.C. §6903(5);
 - c. it has a pH less than 2.0 or greater than 12.5;
 - d. it reacts violently when mixed with water;
 - e. it generates toxic gases when mixed with water;
 - f. it easily ignites or explodes;
 - g. it is an industrial waste product;
 - h. it is radioactive;
 - i. it is an industrial treatment plant sludge or supernatant;
 - j. it is an industrial byproduct having some market value;
 - k. it is coolant water or blowdown waste from a coolant system;
 - l. it is a spent product which could be reused after rehabilitation; or
 - m. it is any material which you have reason to believe would be toxic if either ingested, inhaled or placed in contact with your skin.
5. As used herein, the term "release" and "person" shall have the meaning set forth in Section 101(22), and (21) of CERCLA, 42 U.S.C. §9601(14), and (21), respectively.
6. As used herein, the terms "the Company" and "your Company" refer not only to the addressee as it is currently named and constituted, but also to all of its predecessors- or successors-in-interest and the subsidiaries, divisions, affiliates, and branches of the addressee and their predecessors- or successors-in-interest.
7. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in CERCLA or RCRA, in which case the statutory definitions apply.

REQUEST FOR INFORMATION

1. General Information About the Company

- a. State the correct legal name of the Company.
- b. Identify the legal status of the Company (corporation, partnership, sole proprietorship, specify if other) and the state in which the Company was organized.
- c. State the names(s) and address(es) of the President and the Chairperson of the Board of the Company.
- d. If the Company has subsidiaries or affiliates, or is a subsidiary of another organization, identify these related companies and state the names(s) and address(es) of the President(s) and the Chairperson(s) of the Board of those organizations. Provide such information for any further parent/subsidiary relationships.
- e. If the Company is a successor to, or has been succeeded by, another company, identify such other company and provide the same information requested above for the predecessor or successor company.
- f. If the Company transacted business with Bayonne Barrel & Drum in the name of an entity not disclosed above, give the name of such entity and state its relationship to the Company.

2. Company's Relationship to Bayonne Barrel & Drum

- a. State whether the Company or any Company facility transacted any business with Bayonne Barrel & Drum for the disposal, treatment, or storage of any barrels, drums, or other containers (hereinafter collectively referred to as "Containers").
 - i. If so, describe the relationship (nature of services rendered or products sold to the Company) between the Company and Bayonne Barrel & Drum;
 - ii. Provide copies of any contracts or agreements between the Company and Bayonne Barrel & Drum;

- iii. For each such facility, state the nature of the operations conducted at the facility, including the time period in which the facility operated; and
 - iv. For each such facility, state its name, address, and current RCRA Identification Number.
- b. In addition, if the Company transacted business with Bayonne Barrel & Drum, provide the following information for each transaction:
- i. Identify the specific dates of each transaction. Where an exact date cannot be provided for a transaction, provide an approximation by month and year;
 - ii. Identify the number of Containers that were the subject of each such transaction;
 - iii. Generically describe each Container that was the subject of each such transaction (example: closed-head steel drums, etc.);
 - iv. Identify the intended purpose of each such transaction;
 - v. State whether each Container that was the subject of the transaction contained any substance at the time of the transaction. As to each Container that contained any substance:
 - (1) Identify each such substance, including its chemical content, physical state, quantity by volume and weight, and other characteristics; and
 - (2) Provide all written analyses that may have been made for each such substance or which may be in the custody or control of the Company and all material safety data sheets, if any, relating to each such substance;
 - vi. If you contend that any such Container did not contain any substance at the time of the transaction:
 - (1) State whether such Container had previously been used by the Company to contain any substance, and if so:

- (a) Identify all substances previously contained within such Container, including its chemical content, physical state, and other characteristics; and
 - (b) Provide as to such substances, all written analyses that may have been made for each such substance or which may be in the custody or control of the Company and all material safety data sheets, if any, relating to each such substance;
 - vii. Describe in detail any treatment of any Container that may have been performed by or on behalf of the Company prior to the time that the Container was transferred from the Company, including any process or procedure by which the Container was emptied or cleaned;
 - viii. Provide copies of all documents relating in any way to each transaction, including copies of delivery receipts, invoices, or payment devices;
 - ix. Identify all persons who might have knowledge of the transaction or who had any responsibility regarding the transaction; and
 - x. If you sent any Container by means of any third party transporter, identify each such transporter, including the name and address of such transporter, and identify in which of the transactions such transporter acted.
3. Identify any other person (e.g., individual, company, partnership, etc.) having knowledge of facts relating to the questions which are the subject of this inquiry. For each such person that you identify, provide the name, address, and telephone number of that person, and the basis of your belief that he or she has such knowledge. For past and present employees, include their job title and a description of their responsibilities.
4. Identify each person consulted in responding to these questions and correlate each person to the question on which he or she was consulted.

5. Provide a list of all insurance policies and indemnification agreements held or entered into by you that may indemnify you against any liability that you may be found to have under CERCLA. Specify the insurer, type of policy, effective dates, and state per occurrence policy limits for each policy. Copies of policies may be provided in lieu of a narrative response. In response to this request, please provide not only those policies and agreements that are currently in effect, but also those in effect since your company began sending Containers to the Site.

6. State whether there exists any agreement or contract (other than an insurance policy) which may indemnify the Company, present or past directors, officers or owners of shares in the Company, for any liability that may result under CERCLA. Provide a copy of any such agreement or contract. Identify any agreement or contract that you are unable to locate or obtain.

7. Supply any additional information or documents that may be relevant or useful to identify other sources who disposed of or transported Containers to the Site.